

**S.R. 336** - By Senator Clower: Extending welcome to Kenneth Welch.

**S.R. 337** - By Senator Farabee: Extending welcome to Dr. James Alexander.

### ADJOURNMENT

On motion of Senator Aikin the Senate at 12:15 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

### FORTY-SECOND DAY (Wednesday, March 26, 1975)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

A quorum was announced present.

The Reverend James A. Mahon, First Presbyterian Church, Austin, Texas, offered the invocation as follows:

O God our Father, in the days of this holy week of solemn remembrance, bring to our minds again the story of your Son washing His disciples' feet. Although He was their leader, He did this, dressing and acting as their servant. Make us servants to each other. Rid us of pride and vain ambition. And give us true humility, both to serve others and to be served by Him in whose name we pray. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### REPORTS OF STANDING COMMITTEES

Senator Creighton submitted the following reports for the Committee on Economic Development:

**S.B. 636**

**C.S.S.B. 761** (Read first time)

**S.B. 637**

**C.S.S.B. 762** (Read first time)

Senator Aikin submitted the following report for the Committee on Texas Constitution:

**C.S.S.J.R. 11 (Read first time)**

Senator Snelson submitted the following reports for the Committee on Intergovernmental Relations:

**S.B. 843**  
**S.B. 521**  
**C.S.S.B. 558 (Read first time)**  
**S.B. 527**  
**S.B. 520 (Amended)**  
**S.B. 511**  
**S.B. 510 (Amended)**  
**S.B. 498**  
**H.B. 57**

Senator Schwartz submitted the following reports for the Committee on Jurisprudence:

**C.S.S.B. 415 (Read first time)**  
**H.B. 424 (Amended)**  
**H.B. 146**  
**C.S.S.B. 220 (Read first time)**  
**H.B. 717**  
**S.B. 126**  
**S.B. 131**  
**S.B. 247 (Amended)**  
**S.B. 376**  
**H.B. 407 (Amended)**  
**S.B. 309 (Amended)**

**SENATE BILLS AND RESOLUTION ON FIRST READING**

By unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Mauzy:

**S.B. 997**, A bill to be entitled An Act relating to the notice of original and renewal applications filed for permits other than Wine and Beer Retailer's permits by amending Subsections 1 and 2, Section 15c, Article 1, Texas Liquor Control Act, as amended (Article 666-15c, Vernon's Texas Penal Code); and declaring an emergency.  
To Committee on State Affairs.

By Senator Longoria:

**S.B. 998**, A bill to be entitled An Act relating to the creation of the 247th Judicial District, composed of Hidalgo County; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), by adding Section 3.071; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Hance:

**S.B. 999**, A bill to be entitled An Act relating to the creation of the constitutional office of criminal district attorney for Terry County; abolishing the office of county attorney of Terry County; conforming the jurisdiction of the district attorney for the 121st Judicial District; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Hance:

**S.B. 1000**, A bill to be entitled An Act relating to requiring that each contract entered into between the State Board of Education and a textbook publisher contain a provision stating that the publisher will provide certain teacher training institutions with a free copy of each book covered by the contract; amending Section 12.29, Texas Education Code, by adding Subsection (f); and declaring an emergency.

To Committee on Education.

By Senator Hance:

**S.B. 1001**, A bill to be entitled An Act relating to optional retirement benefits for certain members of the Texas Municipal Retirement System; amending Subsection 3, Section VII, Chapter 75, Acts of the 50th Legislature, 1947, as amended (Article 6243h, Vernon's Texas Civil Statutes), by adding a Subdivision (c); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Lombardino:

**S.B. 1002**, A bill to be entitled An Act exempting deputy sheriffs and employees of the sheriff's office from the coverage of county civil services systems; amending Subsection (b), Section 10, Chapter 262, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 2372h-6, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator McKinnon:

**S.B. 1003**, A bill to be entitled An Act authorizing the Parks and Wildlife Department to charge entrance or gate fees at State Parks; exempting from such fees persons desiring to enter or to leave public beaches in such parks; amending Chapter 453, Acts of the 60th Legislature, Regular Session, 1967 (Article 6070h, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Natural Resources.

By Senator Brooks:

**S.B. 1004**, A bill to be entitled An Act relating to the rights, privileges and obligations of 18-year olds, amending Vernon's Annotated Civil Statutes, Article 5923b by adding a new section providing such Article not applicable to wards of the Texas Youth Council who have engaged in delinquent conduct; and declaring an emergency.

To Committee on Human Resources.

By Senator Schwartz:

**S.B. 1005**, A bill to be entitled An Act making supplemental appropriations to the Industrial Accident Board; and declaring an emergency. (Submitted by Governor as an emergency.)

To Committee on Finance.

By Senators Adams, Aikin, Sherman, Santiesteban, Gammage, Harrington and Farabee:

**S.R. 348**, BE IT RESOLVED, by the Senate of the State of Texas, that pursuant to Article XVIII, Section 1, of the Constitution and expressing an interpretation of the Senate Rules as they apply to **S.J.R. 11** proposing amendments to the Texas Constitution: Each amendment contained in the resolution must receive a record affirmative vote of two-thirds of the membership of the Senate, but the resolution itself, because it only contains individual amendments, does not require a

separate vote.

To Committee on Administration.

#### SENATE CONCURRENT RESOLUTION 50

Senator Sherman offered the following resolution:

**S.C.R. 50**, Memorializing Congress to instruct the Federal Power Commission to restore natural gas for irrigation purposes to a No. 2 commercial priority.

SHERMAN  
SNELSON  
FARABEE  
CREIGHTON  
HANCE  
SANTIESTEBAN

On motion of Senator Sherman and by unanimous consent, the resolution was considered immediately and was adopted.

#### SENATE RESOLUTION 341

Senator Adams offered the following resolution:

WHEREAS, The Senate traditionally pauses to honor dates of special importance to this body and the State of Texas; and

WHEREAS, The date of March 26 represents an important date to this body inasmuch as it is the birthdate of our distinguished colleague from Ganado; and

WHEREAS, The Honorable William N. (Bill) Patman is a graduate of The University of Texas Business and Law Schools; and

WHEREAS, He was elected by the people of the 18th Senatorial District to the Senate of Texas in 1961, where he has served with honor and distinction since that time; and

WHEREAS, Senator Patman and his lovely wife, Carrin, are the parents of Carrin F. Patman; and

WHEREAS, Senator Patman and his family have distinguished themselves in public service for their beloved state and nation; now, therefore, be it

RESOLVED, That the Senate of the State of Texas express best wishes to Senator Patman for a happy birthday and continued good health and happiness.

The resolution was read and was adopted.

#### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, March 26, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 34**, A bill to be entitled An Act relating to microfilming and retention of public records by incorporated cities; repealing Chapter 58, Acts of the 50th

Legislature, Regular Session, 1947, as amended (Article 6574b, Vernon's Texas Civil Statutes); and declaring an emergency.

**H.B. 570**, A bill to be entitled An Act relating to the cancellation of loans from the Texas Opportunity Plan Fund received by certain students who are employed by the Texas Youth Council, State Department of Public Welfare, or the Department of Mental Health and Mental Retardation; amending Subchapter C, Chapter 52, Texas Education Code, by adding Section 52.40; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

#### **BILL AND RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

**S.B. 3**  
**S.C.R. 49**

#### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas  
March 26, 1975

TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the Credit Union Commission: For a six-year term to expire February 15, 1981: Mr. Walter V. Duncan of Richardson, Dallas County is being reappointed; Mr. Russell M. Irving of Beaumont, Jefferson County is replacing Ms. Bessie Heard of Houston, Harris County whose term expired.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

#### **CO-AUTHORS OF SENATE RESOLUTION 348**

On motion of Senator Adams and by unanimous consent, Senators Aikin, Sherman, Santiesteban, Gammage, Harrington and Farabee will be shown as Co-authors of **S.R. 348**.

#### **NOTICE OF EXECUTIVE SESSION**

Senator McKinnon gave notice that he would move for an Executive Session at 11:00 a.m. tomorrow.

**CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL 139**

Senator Meier submitted the following Conference Committee Report:

Austin, Texas  
March 25, 1975

Honorable William P. Hobby  
President of the Senate

Honorable Bill Clayton  
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **H.B. 139** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MEIER  
ADAMS  
DOGETT  
GAMMAGE  
LOMBARDINO  
On the part of the Senate

NEWTON  
DENSON  
NUGENT  
On the part of the House

The Conference Committee Report was read and was adopted by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Aikin, Clower, Mauzy, Ogg and Patman.

**HOUSE BILL 648 ON SECOND READING**

The President laid before the Senate on its second reading and passage to third reading:

**H.B. 648**, A bill to be entitled An Act relating to municipal pension systems in certain cities in the state; amending Chapter 358, Acts of the 48th Legislature, Regular Session, 1943, as amended, (Article 6243g, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency.

The bill was read second time and was passed to third reading.

**HOUSE BILL 648 ON THIRD READING**

Senator Williams moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 648** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

**HOUSE BILL 675 ON SECOND READING**

The President laid before the Senate on its second reading and passage to third reading:

**H.B. 675**, A bill to be entitled An Act relating to the creation, administration, powers, duties, functions, procedures, and financing of the Matador Water District under Article XVI, Section 59, of the Texas Constitution; and declaring an emergency.

The bill was read second time and was passed to third reading.

**HOUSE BILL 675 ON THIRD READING**

Senator Farabee moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 675** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

**HOUSE BILL 499 ON SECOND READING**

The President laid before the Senate on its second reading and passage to third reading:

**H.B. 499**, A bill to be entitled An Act amending Sections 1, 2, 2A, and 7, Chapter 172, Acts of the 45th Legislature, Regular Session, 1937 (Article 165-3, Vernon's Texas Civil Statutes), and deleting certain definitions which will be placed in the State Department of Health regulations in order to eliminate any future conflict with federal definitions, relating to specifications and requirements for milk and milk products; and declaring an emergency.

The bill was read second time and was passed to third reading.

**HOUSE BILL 499 ON THIRD READING**

Senator Meier moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 499** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

**HOUSE BILL 534 ON SECOND READING**

The President laid before the Senate on its second reading and passage to third reading:

**H.B. 534**, A bill to be entitled An Act relating to definition of "lawn crypts," and to the increase of filing and examination fees and of the capital, trust, and guaranty fund requirements of perpetual care cemeteries; amending Sections 1, 3, 15, 28, 29, and 31, Chapter 340, Acts of the 49th Legislature, Regular Session, 1945, as amended (Articles 912a-1, 912a-3, 912a-15, 912a-28, 912a-29 and 912a-31, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.



**HOUSE BILL 534 ON THIRD READING**

Senator Meier moved that Senate Rule 68 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 534** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

**SENATE BILL 306 ON THIRD READING**

Senator Jones asked unanimous consent to suspend the regular order of business and take up **S.B. 306** for consideration at this time.

There was objection.

Senator Jones then moved to suspend the regular order of business and take up **S.B. 306** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Farabee, Gammage, Hance, Harris, Jones, Kothmann, Lombardino, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Schwartz, Traeger and Williams.

Nays: Braecklein, Clower, Doggett, Harrington, Longoria, Mauzy, Patman, Santiesteban, Sherman and Snelson.

The President laid before the Senate on its third reading and final passage:

**S.B. 306**, A bill to be entitled An Act relating to authority of certain insurance agents to enter into and establish retail charge agreements with certain persons; amending Chapter 12, Title 79, Revised Civil Statutes of Texas, 1925 (Article 5069-12.01, et seq., Vernon's Texas Civil Statutes), by adding Article 12.20; and declaring an emergency.

The bill was read third time.

Question on the final passage of the bill, "Yeas" and "Nays" were demanded.

The bill was finally passed by the following vote: Yeas 18, Nays 13.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Farabee, Hance, Harris, Jones, Kothmann, Lombardino, McKnight, Mengden, Moore, Ogg, Schwartz, Traeger and Williams.

Nays: Braecklein, Clower, Doggett, Gammage, Harrington, Longoria, Mauzy, McKinnon, Meier, Patman, Santiesteban, Sherman and Snelson.

**MOTION TO PLACE SENATE BILL 490 ON SECOND READING**

Senator Jones asked unanimous consent to suspend the regular order of business and take up **S.B. 490** for consideration at this time.

There was objection.

Senator Jones then moved to suspend the regular order of business and take up **S.B. 490** for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present): Yeas 19, Nays 11.

Yeas: Adams, Andujar, Brooks, Creighton, Farabee, Hance, Harris, Jones, Kothmann, Lombardino, McKnight, Meier, Mengden, Ogg, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Aikin, Braecklein, Clower, Doggett, Gammage, Harrington, Longoria, Mauzy, McKinnon, Patman and Santiesteban.

Absent: Moore.

**MOTION TO PLACE SENATE BILL 141 ON SECOND READING**

Senator Traeger asked unanimous consent to suspend the regular order of business and take up **S.B. 141** for consideration at this time.

(Senator Meier in the Chair)

There was objection.

Senator Traeger then moved to suspend the regular order of business and take up **S.B. 141** for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present): Yeas 17, Nays 14.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Gammage, Hance, Kothmann, Lombardino, Longoria, McKinnon, McKnight, Meier, Ogg, Snelson, Traeger and Williams.

Nays: Braecklein, Clower, Doggett, Farabee, Harrington, Harris, Jones, Mauzy, Mengden, Moore, Patman, Santiesteban, Schwartz and Sherman.

**COMMITTEE SUBSTITUTE SENATE BILL 433 ON SECOND READING**

On motion of Senator Braecklein and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 433**, A bill to be entitled An Act relating to disposition of animals found to have been cruelly treated; repealing Articles 183, 184, 185, 187, 188, and 189,

Revised Civil Statutes of Texas, 1925; and declaring an emergency.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 433 ON THIRD READING**

Senator Braecklein moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 433** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

**NOTICES OF INTENT**

The following Notices of Intent were filed with the Secretary of the Senate:

Thursday, March 27, 1975

**H.B. 57** - Senator Snelson  
**H.B. 146** - Senator Andujar  
**H.B. 407** - Senator Longoria  
**H.B. 424** - Senator Traeger  
**H.B. 717** - Senator Santiesteban  
**S.B. 29** - Senator Harrington  
**C.S.S.B. 69** - Senator Moore  
**C.S.S.B. 109** - Senator Mauzy  
**C.S.S.B. 110** - Senator Mauzy  
**S.B. 228** - Senator Moore  
**C.S.S.B. 244** - Senator Ogg  
**S.B. 257** - Senator Mauzy  
**S.B. 309** - Senator Snelson  
**S.B. 490** - Senator Jones  
**C.S.S.B. 761** - Senator McKnight  
**C.S.S.B. 762** - Senator McKnight  
**S.B. 1005** - Senator Schwartz